

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOBY S.P.A.,

Plaintiff,

v.

MORGAN STANLEY, MORGAN
STANLEY & CO. LLC, ANTONELLO DI
MEO, MASSIMO PIAZZI AND DOV
HILLEL DRAZIN,

Defendants.

Case No. 1:21-cv-08031

~~[PROPOSED]~~ ORDER TO SHOW
CAUSE FOR A TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION

WHEREAS, the Court having considered Plaintiff Moby S.p.A.'s ("Moby['s]") Memorandum of Law in Support of Moby's Application for a Temporary Restraining Order and Preliminary Injunction ("Application") against Defendants Morgan Stanley, Morgan Stanley & Co. LLC, Antonello Di Meo, Massimo Piazzi and Dov Hillel Drazin ("Defendants"), together with the Verified Complaint and supporting Declaration of Gabriel F. Soledad, and exhibits attached thereto.

IT IS HEREBY ORDERED that Moby's Application is **GRANTED** in its entirety. It is further **ORDERED** that:

1. Defendants must appear before The Honorable Gregory H. Woods, District Judge, United States District Court for the Southern District of New York, on September 5, 2021, at 10:30 a.m./p.m., in Courtroom 12C in the United States Courthouse, 500 Pearl Street/40 Foley Square, New York, New York 10013, and show cause ("Show Cause Hearing") as to why the Court should not enter an Order, pursuant to Rule 65(a) of the Federal Rules of Civil Procedure, enjoining Defendants from (i) acquiring, selling or otherwise trading any notes issued by Moby; (ii) attaching any Moby assets; and/or (iii) otherwise interfering with Moby's restructuring.

2. Any papers responding to the Application be served and filed on or before October 1, 2021, and that any reply papers in further support of the Application be served and filed on or before October 3, 2021;

3. Sufficient reason having been shown, from the date of this Order, through and including the date of the Show Cause Hearing, Defendants, their agents, servants, employees, officers and all persons and entities in active concert and participation with them, are hereby temporarily restrained, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, from engaging in any of the acts and/or conduct described in Paragraph 1 of this Order;


4. Pursuant to this Court's equitable powers and discretion, Moby need not post a bond;

(3) 5. ~~Personal or email service of a copy of this order and the papers upon which it is granted made on the Defendants or their counsel~~ counsel for each of on or before September 29, 2021, shall be at 12:00 p.m. deemed good and sufficient service and notice thereof;

(4) 6. This Court shall retain jurisdiction to hear and determine all matters arising out of, relating to, and/or otherwise concerning the interpretation and/or enforcement of this Order.

5. The parties are directed to notify the Court if they wish to conduct the hearing by remote means no later than October 4, 2021.

SO ORDERED this 28th date of September 2021


United States District Judge